

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA	:	
	:	CRIMINAL ACTION
v.	:	
	:	NO. 05-00428-RBC
SHIRRON ADAMS	:	

**STATUS REPORT BY THE UNITED STATES**

This pleading responds to the Court's procedural order of July 25, 2005, requiring the government to indicate how it intends to proceed in this matter.

As the Court is aware, the medical staff at the SEATAC Federal Detention Center has found, pursuant to an examination under 18 U.S.C. §§4241(a) and 4247(b), that the defendant is currently incompetent. The staff has also evaluated the defendant and opined, pursuant to 18 U.S.C. §4242, that she suffered from a mental disease or defect at the time of the offense that rendered her unable to appreciate the nature and quality or the wrongfulness of her actions. The medical staff has recommended commitment of the defendant for treatment "to a secure, structured inpatient facility to allow for strict monitoring of symptoms of psychosis and problematic behaviors."

Discussions with defense counsel about the possibility of a family member of the defendant initiating state civil commitment procedures have not resulted in that possibility moving forward. Thus, at this time, the government wishes to proceed by seeking a

finding of incompetency by the Court, whether it be by hearing or agreement. If such a finding is made by a preponderance of evidence, then the Court is required to commit the defendant for treatment, under 18 U.S.C. §4241(d), for an additional initial period, not to exceed four months, to determine whether there is a substantial probability that in the foreseeable future the defendant will regain the capacity for the case to proceed. Given that the defendant will have given birth to her child in that period and may resume taking anti-psychotic medications, the prospect of such recovery is viable. It is requested that the Court also order that the Bureau of Prisons evaluate the defendant for dangerousness in the event that a hearing, pursuant to 18 U.S.C. §4246, is required in the event the defendant remains incompetent.

Respectfully submitted,

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By: /s/ S. Theodore Merritt  
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